

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

COMPETITIVE PRODUCT PRICES  
PRIORITY MAIL EXPRESS & PRIORITY MAIL CONTRACT  
11 (MC2013-1)  
NEGOTIATED SERVICE AGREEMENT

Docket No. CP2013-1

**MOTION OF THE UNITED STATES POSTAL SERVICE  
FOR TEMPORARY RELIEF**  
(October 15, 2015)

In PRC Order No. 85, the Commission noted that it “stands ready to act quickly on requests for temporary relief based on extenuating circumstances” that threaten to interrupt the provision of rates to a customer as a result of the regulatory process and the statutory requirement of 39 U.S.C. § 3632(b)(3).<sup>1</sup> The customer whose competitive product rates were established in this docket wishes to renew its commitment to sending large volumes of Priority Mail Express and Priority Mail for the next year at negotiated rates. By the terms of the contract filed in this docket, the current rates will expire on October 23, 2015.

The Postal Service and the customer have been working cooperatively to reach a new agreement, which would have avoided any interruption in the Postal Service’s ability to provide this customer access to negotiated rates. However, because of extenuating circumstances, the Postal Service and the customer have been unable to reach an agreement on the terms of the new contract in time for the Postal Service to

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<sup>1</sup> PRC Order No. 85, Order Concerning Global Plus Negotiated Service Agreements, June 27, 2008, at 10 (Order No. 85). In relevant part, 39 U.S.C. § 3632(b)(3) requires that rates not of general applicability established for competitive products be filed with the Commission at least 15 days in advance of their effective date.

file the new agreement 15 days prior to the intended effective date. Thus, the customer now faces the prospect of an interruption in its access to negotiated rates as a result of the processes that it must participate in when it does business with the Postal Service, rather than with one of the Postal Service's competitors.

The customer has been experiencing technical difficulties in pulling package level detail from their systems. To rectify this problem, over the past several weeks the customer has been working closely with a Technical Integration Specialist at the Postal Service in order to pull that data, but has thus far been unable to complete that project. That customer data is needed in order for the Postal Service to formulate an appropriate pricing proposal for a successor contract. The Postal Service and the customer both desire to continue their contractual relationship, and expect to reach agreement on a new contract once the technical issues have been resolved. In the interim, the parties would like to extend the existing agreement while the difficulties in retrieving the necessary data are resolved.

Thus, the Postal Service respectfully requests that the Commission grant a sixty (60) day extension to allow the existing contract to remain in effect. The sixty day time period would give the customer ample time to resolve its technical issues and pull the necessary data and allow the Postal Service to formulate an appropriate pricing proposal. The parties would then have sufficient time to reach agreement on a successor contract and file the contract more than 15 days in advance of the new expiration date, without having to file a second motion for temporary relief with the Commission. Thus, the proposed extension would only last for a finite and relatively short period of time. In conclusion, for the reasons discussed above, and in

consideration of the customers' business continuity, the Postal Service hereby moves for temporary relief to allow the existing contract to remain on the competitive products list for sixty additional days.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.

Chief Counsel, Pricing and Product Support

Elizabeth A. Reed

475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-3179, Fax -6187  
[elizabeth.a.reed@usps.gov](mailto:elizabeth.a.reed@usps.gov)  
October 15, 2015